

S483. Adulteration of gelatin. U. S. * * * v. 10 Barrels of Gelatin Matter. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10807. I. S. No. 13958-r. S. No. E-1591.)

On July 3, 1919, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 barrels of gelatin matter, at Albany, N. Y., alleging that the article had been shipped by the J. O. Whitten Co., Boston (Winchester), Mass, February 8, 1919, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it contained added poisonous and deleterious ingredients, to wit, excessive amounts of arsenic and copper, which rendered said product injurious to health and unfit and dangerous for human consumption.

On October 20, 1919, the J. O. Whitten Co., Winchester, Mass., having filed a claim for the property without denying any material allegation in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S484. Misbranding of Milks Emulsion. U. S. * * * v. 7 Dozen Bottles of Milks Emulsion. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11331. I. S. No. 15114-r. S. No. E-1767.)

On September 30, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen bottles of Milks Emulsion, remaining unsold at Bloomsburg, Pa., alleging that the article had been shipped by the Milks Emulsion Co., Terre Haute, Ind., on or about May 6, 1919, and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum with small quantities of glycerin, sirup, and methyl salicylate. The quantity of the contents was 9.8 ounces.

Misbranding of the article was alleged in substance in the libel for the reason that the statement in the booklet pertaining to and accompanying the article, namely, "Milks Emulsion contains a great amount of fat," was false and misleading for the reason that the article contained no fat. Misbranding was alleged for the further reason that the statement appearing on the cartons containing the article, to wit, "Net weight twelve ounces," was false and misleading inasmuch as the quantity of the contents of each of the bottles was 9.8 ounces. Misbranding was alleged for the further reason that the bottle label contained the following statements, regarding the curative and therapeutic effects of the article, to wit, "A valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels * * * bronchial asthma, catarrhal croup, bronchitis * * * especially beneficial in incipient consumption," which were false and fraudulent, inasmuch as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S485. Misbranding of Texas Wonder. U. S. * * * v. 3 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11370. I. S. No. 2918-r. S. No. W-509.)

On September 29, 1919, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Texas Wonder, remaining in the original and unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about May 31, 1919, and transported from the State of Missouri into the State of Utah, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "A Texas Wonder. E. W. Hall, St. Louis, Mo." (carton) "* * * The Texas Wonder for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (circular) "* * * Rheumatism and Kindred Diseases," (testimonial of Louis A. Portner) "* * * began using the Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys * * * His urine contained 40% pus * * * was still using the medicine with wonderful results, and his weight had increased * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the bottle and carton and in the accompanying circular, regarding the curative and therapeutic effect, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 26, 1920, no claimant having appeared for the property, judgment by default was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S486. Misbranding of Milks Emulsion. U. S. * * * v. 4½ Dozen Large Bottles and 6 Dozen Small Bottles of Milks Emulsion. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11372. I. S. No. 15115-r. S. No. E-1773.)

On September 30, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4½ dozen large bottles and 6 dozen small bottles of Milks Emulsion, remaining unsold at Williamsport, Pa., alleging that the article had been shipped by the Milks Emulsion Co., Terre Haute, Ind., on or about February 13, 1919, and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act.

Examination and analysis of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum with small quantities of glycerin, sirup, and methyl salicylate, and that the quantity of the contents of the small bottles was 8.55 ounces and 9 ounces, respectively.